

to communications concerning the interest of the client, would be held unconstitutional by the Nebraska Supreme Court as an invasion of the Doctrine of Separation of Powers." And then it goes and documents a variety of cases to substantiate this. "We are of the opinion that any curtailment of the common law attorney-client privilege as outlined above would be difficult to defend as to constitutionality. What I am suggesting to you, Senator Marsh and Senator Landis, if you want a bill that does anything, deal with the one area where you can get information which is the doctor on adult abuse and you might accomplish something. But the Landis amendment eliminates that one area and it puts in two areas that you are not going to be able to enforce in law anyway, clergy and the attorney-client. I don't know how more strongly I can say that is the most illogical approach I have ever seen. However, if that is the way you want to go, have at it. It is pure folly and stupidity and I mean it in those strongest terms. To take the one area where you can get information and eliminate it, in other words, doctors, and the two areas where you are not going to be able to get anything and suddenly say, they are compelled now. It just doesn't make sense. And so with my amendment and the way the bill is now, as it is already adopted by you, you have doctors where you can get the information compelled, despite their privilege, to provide the information just the same as they would in a gunshot or venereal disease or whatever, the same way we have done there and those areas where you cannot have any effect anyway, the priest and the lawyer with the attorney-client privilege, the very narrow privilege, I'm saying we're eliminating it...

SENATOR CLARK: You have one minute.

SENATOR DeCAMP: ...but we're eliminating it from child abuse and straightening out those statutes also. That, as I say, seems to me to have overwhelming logic to it but I guess that is not registering much.

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I have to agree with Senator Johnson that the issue has become confused and many elements have been mixed in one bill that ought not to be. If the child abuse legislation currently on the books now has worked and has done some good for the children and it is felt that there are problems with the elderly and the handicapped above the age of eighteen, that ought to be a separate issue and I don't think an attempt ought to be made to amend it into the child abuse legislation. What we have when we talk about what ministers